

JAMES DAL BON

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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

## NORTHERN DISTRICT OF CALIFORNIA

VICTOR CARBAJAL ET AL.,

Plaintiffs,

VS.

PLUMBERS ON CALL ET AL

Defendants.

) Case No 08-01611 PVT

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) PLAINTIFF'S CASE MANAGEMENT

) STATEMENT

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) Date: August 19, 2008

) Time: 2:00 p.m.

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## 1. Jurisdiction and Service.

a. Basis for Court's subject matter jurisdiction over Plaintiff's claims: Fair Labor Standards Act

1 b. Whether any issues exist regarding personal jurisdiction or venue: No.

2 c. Whether any parties remained to be served: No; all parties have been  
3 served.

4 2. Facts.

5 Plaintiffs' Statement: Plaintiffs were employed by Defendants Plumbers On Call  
6 Inc, Repipe Specialists Inc and Robie Dobkins as plumbers. Plaintiffs claim that the  
7 aforementioned Defendants failed to pay them overtime wages under federal and state  
8 law. On March 25, 2008 Plaintiffs filed a complaint against the aforementioned  
9 Defendants and against Grant Hallstrom and America's Copper Repipe Specialist, Inc.,  
10 Plaintiffs subsequently amended the complaint and served all of the Defendants. On July  
11 29, 2008 Plaintiffs received a letter from Charles Greene Esq. stating that Defendants  
12 Robie Dobkins and Plumbers on Call Inc., had filed Chapter 7 bankruptcy. Additionally  
13 Plaintiffs discovered that Grant Hallstrom and America's Copper Repipe Specialists were  
14 not the true names of their employers. Finally the owner of Defendant Repipe Specialists  
15 Inc. wrote a letter to Plaintiff's counsel claiming that his company did not employ the  
16 plaintiffs.

17 Plaintiff will dismiss the case against Defendant Hallstrom and America's  
18 Copper Repipe Specialist. The Plaintiffs recognize that the filing of the bankruptcy  
19 petition stays any action against the Defendants Robie Dobkins and Plumbers On Call  
20 Inc.

21 However Plaintiff will not dismiss Defendant Repipe Specialists. The Plaintiff  
22 will write a letter today, clearly stating that he will not dismiss Defendant Repipe  
23 Specialist from the complaint and giving him another ten days to file an answer or default  
24 will be filed.

25 Plaintiff respectfully suggests that the Case Management Conference scheduled  
for tomorrow be rescheduled in another twenty days to give the Defendant Repipes  
Specialist a longer opportunity to respond.

DATED: August 18, 2008

LAW OFFICES OF JAMES DAL BON

By: /s/ JAMES DAL BON